

Notice of Allowability

Application No.

10/084,421

Examiner

Vincent M. Rudolph

Applicant(s)

MATSUDA, HIROSHI

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/16/2007.
2. ☒ The allowed claim(s) is/are 55-98.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

1. The title of the invention is not descriptive. The examiner has amended the title to clearly indicate the invention to which the claims are directed. The correction is as follows:

"Image Processing Device, Information Processing Method and Computer-Readable Storage Medium Storing a Control Program for Performing an Operation Based on Whether a Function is Being Set or Requested to Be Set"

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Gary Jacobs on October 30, 2007.

The application has been amended as follows:

Regarding **claim 55** on page 2, line 16, please change the limitation "said image processing device; and" to read –said image processing device;–.

Regarding **claim 55** on page 3, lines 6-7 and 9-10, **claim 56** on page 4, line 22 and page, line 3, **claim 57** on page 6, lines 6-7 and 9-10, **claim 58** on page 7, lines 16-17 and 19-20, **claim 63** on page 10, lines 19 and 22, **claim 64** on page 12, lines 10 and 13, **claim 65** on page 13, lines 18 and 21, **claim 66** on page 15, lines 7 and 10, **claim**

71 on page 18, lines 11 and 14, **claim 72** on page 20, lines 4 and 7, **claim 73** on page 21, lines 11-12 and 14-15, **claim 74** on page 22, lines 17-18 and page 23, lines 2-3, **claim 75** on page 24, lines 14 and 17, **claim 76** on page 26, lines 6 and 9, **claim 77** on page 27, lines 14-15 and 17-18, **claim 78** on page 29, lines 1-2 and 4-5, and **claims 83-98**, line 2, please change the limitation "image processing apparatus" to read –image processing device–.

Regarding **claim 75** on page 23, lines 3, 9 and page 24, line 5, **claim 76** on page 25, lines 3, 6, 8 and 15, **claim 77** on page 27, lines 1, 4 and 9, **claim 78** on page 28, lines 3, 6 and 11, **claim 80** on page 30, lines 1 and 6, and **claim 82**, line 3, please change the limitation "adapted to" to read –configured to–.

Allowable Subject Matter

3. Claims 55-98 are allowed.
4. The following is an examiner's statement of reasons for allowance:

The combined prior art does not disclose preventing the completion for setting a function of the printer by the image processing device when at the same time the information processing device is performing part of the setting operation for setting a function of the printer, and vice versa. Thus the limitations of the amended claims are able to overcome the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is: Fresk ('135).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent M. Rudolph whose telephone number is (571) 272-8243. The examiner can normally be reached on Monday through Friday 8 A.M. - 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung Moe can be reached on (571) 272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

11/2/07

VMR

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Examiner
Art Unit 2625


AUNG S. MOE
SUPERVISORY PATENT EXAMINER

11/5/07